

REMARKS

Claims 18-27 and 31-35 are canceled. Claim 5 currently is amended. Claims 1-17 and 28-30 remain in this application.

I. 35 USC 102 Claim Rejections

A. 35 USC 102(e) Rejections: Claims 1-8, 11-13, 17 and 28-30

(1) Clams 1-8 and 11-13

The October 19, 2004 Office Action rejects claims 1-8, 11-13, 17-20, 22-24, 28-32, and 34 under 35 USC 102(e) as being anticipated by Hashimoto (US Patent No. 6,344,875).

Claim 1 recites "*a temporary data storage circuit coupled ... to receive data from the appliance.*"

The Office Action cites Hashimoto FIFO circuit 13 of camera 100 to teach the temporary data storage circuit and cites Hashimoto figure 8/camera 100 to teach the appliance. Since Hashimoto FIFO circuit 13 is part of camera 100, any data received by FIFO circuit 13 stays with the camera appliance 100 and is not received from the appliance. Thus, the Office Action failed to make out a case for §102(e) anticipation by Hashimoto. Applicant respectfully requests that the examiner withdraw the rejection to the claims.

Claim 1 recites "*a permanent data storage circuit.*"

The Office Action cites Hashimoto memory card 16 to teach the permanent data storage circuit. However, Hashimoto teaches memory card 16 as a being rewritable. Thus, Hashimoto does not teach a permanent data storage circuit as recited in the claim. Applicant respectfully requests that the examiner withdraw the rejection to the claims.

Claim 1 recites "*a control circuit coupled to the temporary data storage circuit and the permanent data storage circuit*"

The Office Action cites Hashimoto card I/F circuit 14 "and other control circuits that control I/O operations of the FIFO circuit 13" as teaching the recited control circuit. In

addition, the Office Action cites Hashimoto memory card 16 to teach the permanent data storage circuit. However, there is nothing within Hashimoto to teach that the "other control circuits that control I/O operations of the FIFO circuit 13" are coupled to memory card 16. Thus, the Office Action failed to make out a case for §102(e) anticipation by Hashimoto. Applicant respectfully requests that the examiner withdraw the rejection to the claims.

Claim 2: the Office Action failed to address the limitations of claim 2 and thus failed to make out a case for §102(e) anticipation by Hashimoto. Applicant respectfully requests that the examiner withdraw the rejection to the claims.

Claim 3: the Office Action failed to address the limitations of claim 3 and thus failed to make out a case for §102(e) anticipation by Hashimoto. Applicant respectfully requests that the examiner withdraw the rejection to the claims.

Claim 4 recites "*the data storage system*"

Since the Office Action has failed to identify particularly a data storage system taught by Hashimoto, the Office Action failed to make out a case for §102(e) anticipation by Hashimoto. Applicant respectfully requests that the examiner withdraw the rejection to the claims.

Claim 4 recites "*an interface card.*"

With regard to claim 4, the Office Action has failed to identify particularly an interface card taught by Hashimoto. Since the Office Action failed to make out a case for §102(e) anticipation by Hashimoto, Applicant respectfully requests that the examiner withdraw the rejection to the claims.

Claim 4 recites "*wherein the data storage system is contained in an interface card.*"

The Office Action cites Hashimoto FIFO circuit 13 of camera 100 to teach the temporary data storage circuit portion of the data storage system. Rather than teach FIFO circuit 13 as being contained in an interface card, Hashimoto teaches that the FIFO circuit 13

is contained in camera appliance 100. Thus, Hashimoto does not teach that the data storage system is contained in an interface card as recited in the claim. Applicant respectfully requests that the examiner withdraw the rejection to the claims.

Claim 5 recites "*a non-volatile memory module*"

With regard to claim 5, the Office Action has failed to identify particularly a non-volatile memory module taught by Hashimoto. Since the Office Action failed to make out a case for §102(e) anticipation by Hashimoto, Applicant respectfully requests that the examiner withdraw the rejection to the claims.

Claim 6/4 recites "*wherein the data storage system is contained in an interface card.*"

For independent claim 1, the Office Action cites Hashimoto memory card 16 to teach the permanent data storage circuit. (Office Action, page 2, line 22 (item 3)) With regard to claim 6, which depends from claim 1, the Office Action now cites Hashimoto memory card 16 to teach both the permanent data storage circuit and the interface card. Applying this logic against the claim 6/4 limitation "*wherein the data storage system is contained in an interface card,*" Hashimoto purportedly teaches the data storage system is contained in the permanent data storage circuit. Hashimoto has no such teaching and the Office Action failed to make out a case for §102(e) anticipation by Hashimoto.

Claim 6/4 recites "*an interface card that is separable from the data generating appliance.*"

With regard to claim 6, the Office Action now cites Hashimoto memory card 16 to teach an interface card. However, Office Action cites Hashimoto figure 8/camera 100 to teach the data generating appliance. (Office Action, page 2, lines 18, item 3). It is clear from Hashimoto figure 8 that Hashimoto figure 8/camera 100 includes memory card 16. If memory card 16 were separated from figure 8/camera 100, then the data generating appliance as taught

by Hashimoto would no longer be the data generating appliance as taught by Hashimoto. Thus, the Office Action failed to make out a case for §102(e) anticipation by Hashimoto.

Claim 6 recites "*wherein the permanent data storage circuit comprises a non-volatile memory module that is replaceable in the interface card to allow a plurality of different memory modules to be used in a single data storage system.*"

For independent claim 1, the Office Action cites Hashimoto memory card 16 to teach the permanent data storage circuit. (Office Action, page 2, line 22 (item 3)) With regard to claim 6, which depends from claim 1, the Office Action now cites Hashimoto memory card 16 to teach both the permanent data storage circuit and the interface card.

The Office Action cites flash memories 40 as teaching the non-volatile memory module and argues that the flash memories 40 are removable by the manufacturer or repairer of camera appliance 100. Even if this allowed a plurality of different memory modules to be used in a plurality of different data storage system, this does not allowed a plurality of different memory modules to be used in a single data storage system as recited by the claim. Thus, Hashimoto does not teach the above limitation.

Claim 7 is allowable because of its dependency on claim 3/1.

Claim 8: the Office Action failed to address the limitations of claim 8 and thus failed to make out a case for §102(e) anticipation by Hashimoto. Applicant respectfully requests that the examiner withdraw the rejection to the claims.

Claim 11/1 recites "*where the temporary data storage circuit has a storage capacity sufficient to store data comprising at least one picture from the appliance.*"

For claim 1, the Office Action cites Hashimoto FIFO circuit 13 of camera 100 to teach the temporary data storage circuit and cites Hashimoto figure 8/camera 100 to teach the appliance. For claim 11/1, the Office Action now cites Hashimoto buffers 41 to teach the temporary data storage circuit. Since Hashimoto buffers 41 do not have a storage capacity

sufficient to store data comprising at least one picture from the appliance 100, Hashimoto does not teach the above limitation.

Claim 12 is allowable by reason of its dependency on claim 11.

Claim 13 recites wherein the predetermined event comprises further data being received by the temporary data storage circuit from the data generating appliance. Hashimoto does not teach a control circuit that is operative to effect transfer of data from Buffer 41 to Flash Memory 40 upon Buffer 41 receiving further data.

Claim 17 recites the control circuit being adapted to effect transfer of data from the temporary data storage circuit to the permanent data storage circuit upon occurrence of a predetermined event. Receiving combined image and audio files through Hashimoto I/O card 15 in step 340 ('875, col. 11, 46-49) is not predetermined and is not a predetermined event. Writing image information into the memory card 16 in Hashimoto step 348 is not an event, is not predetermined, and is not a predetermined event.

Independent **Claim 28** recites transferring said image data from said temporary data storage circuit to a permanent data storage circuit coupled to the digital camera upon occurrence of a predetermined event. Receiving combined image and audio files through Hashimoto I/O card 15 in step 340 ('875, col. 11, 46-49) is not a predetermined event and step 348 is not a predetermined event. Writing image information into the memory card 16 in Hashimoto step 348 is not an event and is not predetermined.

Accordingly, Applicant respectfully requests that the Office Action withdraw the rejections to the claims.

B. 35 USC 102(e) Rejections: Claims 9-10

The Office Action rejects claims 9-10 and 21 under 35 USC 102(e) as anticipated by Parulski (US Patent Application No. 2001/0013894).

Claim 1/9 recites a permanent data storage circuit as part of a data storage system for a portable data generating appliance. Parulski teaches a printer 30, which is not a permanent data storage circuit. Moreover, Parulski teaches that printer 30 is separate from the digital camera 10 (Parulski, claim 1, preamble).

Claim 1/10 recites a permanent data storage circuit comprising a non-volatile write-once memory. Parulski teaches a printer 30, which does not comprise a non-volatile write-once memory.

C. 35 USC 102(e) Rejections: Claim 10

The Office Action rejects claims 10 under 35 USC 102(e) as anticipated by Tringali (US Patent No. 6,656,891).

Claim 1/10 recites that the temporary data storage circuit has a storage capacity sufficient to store data comprising at least one picture from the appliance. Tringali does not teach this.

Accordingly, Applicant respectfully requests that the Office Action withdraw the rejections to the claims.

D. 35 USC 102(e) Rejections: Claim 14

The Office Action rejects claim 14 under 35 USC 102(e) as anticipated by Araki (US Patent No. 6,388,908).

Claim 1/11/13/14 recites that the temporary data storage circuit has a storage capacity sufficient to store data comprising at least one picture from the appliance. Araki does not teach this.

Accordingly, Applicant respectfully requests that the Office Action withdraw the rejections to the claims.

IV. 35 USC 103 Claim Rejections

A. 35 USC 103(a) Rejections: Claims 15-16

The Office Action rejects claims 15-16 under 35 USC 103(a) as unpatentable over Hashimoto (US Patent No. 6,344,875) in view of Levy (US Patent No. 5,438,549).

Claim 1/11/15 is not taught by Hashimoto as noted above. Moreover, Hashimoto teaches that, because the buffers 41 do not hold the entirety of any one data, a plurality of transfer operations will usually be needed to transfer the desired material into or out of the memory card 16. (Hashimoto, col. 9, lines 32-40). A skilled person would not be motivated to include a Levy backup power supply system in Hashimoto for the purpose of transferring a partial, 256-byte portion of a digital image from the buffer 41 on failure of the primary operating power.

Claim 1/11/15/16 is not taught by Hashimoto as noted above. Moreover, A skilled person would not be motivated to include a Levy backup power supply system in Hashimoto for the purpose of transferring a partial, 256-byte portion of a digital image from the buffer 41 on failure of the primary operating power.

Accordingly, Applicant respectfully requests that the Office Action withdraw the rejections to the claims.


V. Conclusion

In view of the foregoing, it is believed that the claims now pending are in condition for allowance. Such action is earnestly solicited at the earliest possible date.

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Respectfully submitted,
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